

STANDARD APPLICATION
Harford County
Board of Appeals
Bel Air, Maryland 21014

AUG 7 2007

Case No. 5617
Date Filed 8/1/07
Hearing Date _____
Receipt _____
Fee 450.00

Shaded Areas for Office Use Only

Type of Application

Nature of Request and Section(s) of Code

☐ Administrative Decision/Interpretation

☐ Special Exception

☐ Use Variance

☐ Change/Extension of Non-Conforming Use

☐ Minor Area Variance

☒ Area Variance

☐ Variance from Requirements of the Code

☐ Zoning Map/Drafting Correction

CASE 5617 MAP 39 TYPE Variance

ELECTION DISTRICT 04 LOCATION 2707 Harriet Lane, Forest Hill 21050

BY Albert and Kathleen Schauman

Appealed because a variance pursuant to Sec. 267-34C, Table II of the Harford County Code to permit a detached garage to encroach the 40' front yard setback (20' proposed), in the AG District requires approval by the Board.

NOTE: A pre-conference is required for property within the NRD/Critical Area or requests for an Integrated Community Shopping Center, a Planned Residential Development, mobile home park and Special Exceptions.

Owner (please print or type)

Name ALBERT W. SCHAUHAN Phone Number 410-557-6331

Address 2707 HARRIET LANE FOREST HILL MD 21050
Street Number Street City State Zip Code

Co-Applicant KATHLEEN G. SCHAUHAN Phone Number 410-557-6331

Address 2707 HARRIET LANE FOREST HILL MD 21050
Street Number Street City State Zip Code

Contract Purchaser _____ Phone Number _____

Address _____
Street Number Street City State Zip Code

Attorney/Representative _____ Phone Number _____

Address _____
Street Number Street City State Zip Code

Land Description

Address and Location of Property 2707 HARRIET LANE FOREST HILL MD 21050

Subdivision PUTNAM VILLAGE

Lot Number [#]6

Acreage/Lot Size 0.786⁴ AC

Election District 4TH

Zoning AG

Tax Map No. 39

Grid No. 2C

Parcel 4

Water/Sewer: Private ☒

Public ☐

List ALL structures on property and current use: 14'x14' STORAGE SHED
& HOUSE

Estimated time required to present case: _____

↓ If this Appeal is in reference to a Building Permit, state number NO

Would approval of this petition violate the covenants and restrictions for your property? NO

Is this property located within the County's Chesapeake Bay Critical Area? Yes ☐ No ☒

If so, what is the Critical Area Land Use designations: NO

Is this request the result of a zoning enforcement investigation? Yes ☐ No ☒

Is this request within one (1) mile of any incorporated town limits? Yes ☐ No ☒

Request

TO CONSTRUCT A 24'x24' TWO CAR GARAGE

Justification

DUE TO AMOUNT OF STORM WATER THAT RUNS ACROSS THE
FRONT & BACK OF OUR PROPERTY WE ONLY HAVE ONE PLACE TO
BUILD A GARAGE & WE ARE AT THE END OF A OLD COUNTRY
ROAD THAT IS A DEAD END
PLEASE SEE PICTURES ATTACHED

If additional space is needed, attach sheet to application. In answering the above questions, please refer to the Requirements that pertain to the type of approval request. (Special Exception, Variance, Critical Area or Natural Resource District (NRD) Variance, etc.)

TO WHOM IT MAY CONCERN,

OTHER JUSTIFICATIONS:

1. STORM WATER IN BACK AND FRONT OF HOUSE.
2. REPLACED SPLITTER BOX TWO TIMES IN REAR OF HOUSE DUE TO WATER RUN OFF.
3. WE LIVE AT A DEADEND ROAD THAT WE DON'T SEE EVER BEING PUNCHED THRU TO RT. 165.
4. ANY OTHER LOCATION OF THIS GARAGE WOULD TAKE SEVERE WATER DAMAGE DUE TO RUN OFF.
5. WE WOULD LIKE TO PLACE THE GARAGE WHERE ARE 24 X 24 DRIVEWAY HAS BEEN FOR 30 YEARS.
6. THE GARAGE WILL MATCH THE SIDING AND SHUTTERS ON HOUSE AND WILL HAVE TWO OVERHEAD DOORS, 1 ENTRANCE DOOR AND 3 WINDOWS.
7. WE HAVE ALWAYS WANTED TO PUT IN A TWO CAR GARAGE. NOW THAT WE ARE ABLE TO, WE WOULD APPRECIATE YOUR APPROVAL.

SINCERELY,

MR. & MRS. ALBERT SCHAUMAN

Albert W. Schauman
Kathleen G. Schauman

HARRIET LANE 2707 LOT #6

ALBERT & KATHLEEN SCHAUMAN

DRIVEWAY

WELL

HOUSE

SEPTIC TANK & DRAIN FIELDS

20' 13'

PROPERTY LINE

8' WALK

4' WALK

20x40 POOL DEEP END

4' WALK

80'

60'

60'

28'

PROPERTY LINE

SLED

* Pool Will Be 80'± From House & 60'± From Septic System

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ALBERT & KATHLEEN SCHAUMAN

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24' x 24' SQUARE

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DAVID R. CRAIG
HARFORD COUNTY EXECUTIVE

LORRAINE COSTELLO
DIRECTOR OF ADMINISTRATION



C. PETE GUTWALD
DIRECTOR OF PLANNING & ZONING

HARFORD COUNTY GOVERNMENT

Department of Planning and Zoning

October 4, 2007

STAFF REPORT

BOARD OF APPEALS CASE No. 5617

APPLICANT/OWNER: Albert W. Schauman
2707 Harriet Lane, Forest Hill, Maryland 21050

Co-APPLICANT: Kathleen G. Schauman
2707 Harriet Lane, Forest Hill, Maryland 21050

REPRESENTATIVE: Applicants

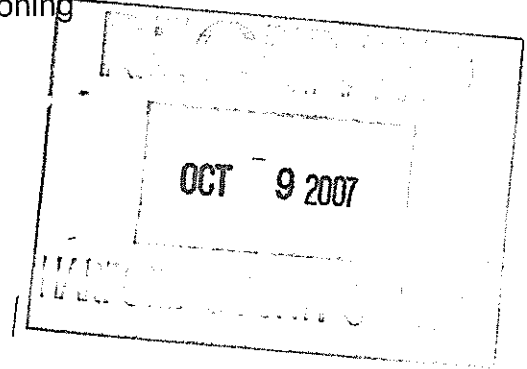
LOCATION: 2707 Harriet Lane — Putnam Village
Tax Map: 39 / Grid: 2C / Parcel: 4 / Lot: 6
Election District: Four (4)

ACREAGE: 0.786 acres

ZONING: AG/Agricultural

DATE FILED: August 1, 2007

HEARING DATE: October 29, 2007



APPLICANT'S REQUEST and JUSTIFICATION:

Request:

"To construct a 24' x 24' two car garage."

Preserving Harford's past; promoting Harford's future

MY DIRECT PHONE NUMBER IS (410) 638-3103

220 SOUTH MAIN STREET BEL AIR, MARYLAND 21014 410.638.3000 • 410.879.2000 • TTY 410.638.3086 • www.harfordcountymd.gov

THIS DOCUMENT IS AVAILABLE IN ALTERNATIVE FORMAT UPON REQUEST.

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Albert & Kathleen Schauman

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Justification:

"Due to amount of storm water that runs across the front and back of our property we only have one place to build a garage and we are at the end of a old country road that is a dead end." Please see additional justifications and attached photographs submitted by the Applicant (Attachment 1 and 2A-I).

CODE REQUIREMENTS:

The Applicants are requesting a variance pursuant to Section 267-34C, Table II of the Harford County Code to permit a detached garage to encroach the 40 foot front yard setback (20 foot proposed) in the AG/Agricultural District.

Enclosed with the report is a copy of Section 267-34C, Table II of the Harford County Code (Attachment 3).

LAND USE and ZONING ANALYSIS:

Land Use – Master Plan:

The Applicants' property is located to the east of Baldwin Mill Road (Md. Route 165) and to the north of Putnam Road. The lot is part of the Putnam Village subdivision and is situated on the south side and at the end of Harriet Lane. Enclosed with the report is a copy of a location map, the Applicants' site plan and a copy of the recorded plat (Attachments 4, 5 and 6).

The subject property is located outside of the Development Envelope. The predominant Land Use designations are Agricultural and Rural Residential. The Natural Features Map reflects Sensitive Species Project Review Areas, Agricultural Preservation Districts and Easements, and Stream Systems. The subject site is designated as Rural Residential which is defined by the 2004 Master Plan as:

Rural Residential – Areas of focused rural development within the agricultural area, which allow low intensity residential opportunities while maintaining the character of the surrounding countryside. Water and sewer services are not planned for these areas. Residential density is limited to 1.0 dwelling unit per 2 acres.

Enclosed with the report are copies of the Fallston Community Area Map, the 2004 Land Use Map and the Natural Features Map (Attachments 7, 8 and 9).

Land Use – Existing:

The existing land uses are in conformance with the overall intent of the Master Plan. The predominant land uses are Agricultural and single family residential subdivisions. The topography for the area ranges from rolling to steep especially near the stream valleys. Enclosed

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with the report is a copy of the aerial photograph and a topography map (Attachments 10 and 11).

The subject lot is part of the single family residential subdivision recorded as Putnam Village in 1953. The lot is located on the south side of Harriet Lane which is a County maintained road. The lot is rectangular in shape and approximately 0.78± acres in size. The topography of the lot slopes down from right to left, with a swale across the rear yard. The open farm land adjoining to the east side slopes down to the subject property. The improvements consist of a brick and frame rancher with a covered porch off of the rear of the dwelling and a patio. There is a blacktopped driveway with a parking pad in the area of the proposed garage. Located in the rear yard, near the rear property line is an in-ground pool and a shed. The property is nicely landscaped with mature trees and shrubbery and all improvements appear to be well maintained. Enclosed with the report are site photographs along with an enlargement of the aerial photograph (Attachments 12 and 13).

Zoning:

The zoning classifications in the area are consistent with the 2004 Master Plan as well as the existing land uses. The predominant zoning classifications in this area of the County are AG/Agricultural and RR/Rural Residential Districts. The subject property is zoned AG/Agricultural as shown on the enclosed copy of the zoning map (Attachment 14).

SUMMARY:

The Applicants are requesting a variance pursuant to Section 267-34C, Table II of the Harford County Code to permit a detached garage to encroach the 40 foot front yard setback (20 foot proposed) in the AG/Agricultural District.

Variances of this nature may be approved by the Board of Appeals pursuant to Section 267-11 of the Harford County Code, provided it finds by reason of the uniqueness of the property or topographical conditions that literal enforcement of the Code would result in practical difficulty and undue hardship. Further, the applicant must show that the request will not be substantially detrimental to adjacent properties or will not materially impair the purpose of the Code or the public interest.

The Department finds that the subject property is unique based on the topography and drainage issues. The lot is at the end of the road and the proposed garage will not impact adjacent properties or traffic on the road. The proposed location is the most practical area for the garage. The Applicants have provided a petition signed by 13 of their neighbors indicating they have no objection to the requested variance (Attachment 15).

STAFF REPORT

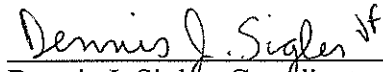
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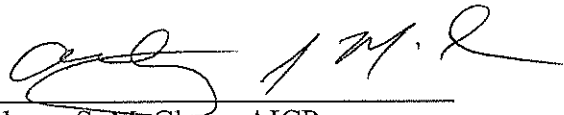
RECOMMENDATION and or SUGGESTED CONDITIONS:

The Department of Planning and Zoning recommends that the requested variance be approved subject to the Applicants obtaining all necessary permits and inspections for the garage.



Dennis J. Sigler, Coordinator
Zoning & Board of Appeals Review

DJS/ASM/jf



Anthony S. McClune, AICP
Deputy Director, Planning and Zoning